

ENTERED

May 04, 2023

Nathan Ochsner, Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

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CHAPTER 11

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KP ENGINEERING, LP, *et al*¹

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CASE NO. 19-34698 (DRJ)

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*

Debtor

*

(Jointly Administered)

ORDER PROVIDING INSTRUCTION
(Docket No. 1087)

Considering the Motion for Instruction [Doc No. 1087] (the “*Motion*”) filed by Michael D. Warner, solely in his capacity as liquidation trustee for the KP Engineering Liquidation Trust (the “*Trust*”), (the “*Liquidation Trustee*”) seeking entry of an order² (this “*Order*”) providing instruction to the Liquidation Trustee; and after due deliberation,

IT IS HEREBY ORDERED THAT:

The Motion is granted as set forth herein.

1. The Trustee shall not file additional objections to the six identical claims filed against both Estates (the “*Identical Claims*”).

2. The Liquidation Trustee may distribute the net distributable Liquidation Trust Assets to all Liquidation Trust Beneficiaries holding Allowed General Unsecured Claims *pro rata*, as provided in Article III(C)(7) of the *Third Amended Joint Chapter 11 Plan of Reorganization of*

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are KP Engineering, LP (7785) and KP Engineering, LLC (0294). The location of the Debtors’ corporate headquarters and the Debtors’ service address is: 5555 Old Jacksonville Hwy., Tyler, TX 75703.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan or the Motion, as applicable.

KP Engineering, LP and KP Engineering, LLC [Doc No. 575 at p. 70] and Article 5.1(c) of the *Liquidation Trust Agreement* [Doc No. 575 at p. 124].

3. The holders of the Identical Claims shall each be limited to recovery in the aggregate of 100% of such claimant's largest single unsecured claim.

4. The terms and conditions of this Order will be immediately effective and enforceable upon its entry.

5. This Court retains exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Signed: May 04, 2023.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE